

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

ANDREW P. CAPUTO (CSBN 203655)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7004  
FAX: (415) 436-7234  
Email: andrew.caputo@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DEMETRIUS SMITH, )  
 )  
Defendant. )  
\_\_\_\_\_ )

No. CR 08-0131 PJH  
  
STIPULATION REQUESTING  
CONTINUANCE OF SENTENCING  
HEARING, AND [PROPOSED] ORDER

The parties hereby stipulate as follows:

1. Sentencing in this matter is currently scheduled for September 3, 2008.
2. Counsel for the United States will be out of town on September 3. Accordingly, the parties respectfully request that the Court continue the sentencing hearing in this case until September 17 at 1:30 p.m. Counsel for the United States has consulted with United States Probation Officer Charles Mabie, who has no objection to continuing sentencing until September 17.

1 IT IS SO STIPULATED.

2  
3 DATED: August 20, 2008

/s/  
\_\_\_\_\_  
MICHAEL THORMAN  
Attorney for Defendant

4  
5  
6 DATED: August 20, 2008

/s/  
\_\_\_\_\_  
ANDREW P. CAPUTO  
Assistant United States Attorney

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8  
9  
10 **[PROPOSED] ORDER**

11 Pursuant to stipulation, the Court hereby continues the sentencing hearing in this case to  
12 September 17, 2008, at 1:30 p.m.

13 IT IS SO ORDERED.

14  
15 DATED: \_\_\_\_\_

\_\_\_\_\_  
PHYLLIS J. HAMILTON  
United States District Judge